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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**  
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11 V5 TECHNOLOGIES, LLC,

12 Plaintiff(s),

13 v.

14 SWITCH, LTD.,

15 Defendant(s).

Case No.: 2:17-cv-02349-KJD-NJK

**Order**

16 The undersigned's chambers received a telephone call from opposing counsel regarding  
17 the logistics for the anticipated filing of a discovery motion. The Court hereby **SETS** a telephonic  
18 conference for tomorrow, September 26, 2019, at 10:30 a.m. Counsel shall appear telephonically  
19 by calling the Court conference line at 877-402-9757 at least five minutes prior to the hearing.  
20 The conference code is 6791056. In order to ensure a clear recording of the hearing, the call must  
21 be made using a land line phone. Cell phone calls, as well as the use of a speaker phone, are  
22 prohibited. **ONLY COUNSEL OF RECORD ARE PERMITTED TO APPEAR FOR A**  
23 **PARTY DURING THIS CONFERENCE.**

24 The above conference will focus on the logistics of the anticipated discovery motion, rather  
25 than the substance of the parties' dispute. Among other issues for discussion, counsel shall be  
26 prepared to address the following: (1) why an *in camera* submission is appropriate given that the  
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1 documents at issue are apparently known to both parties;<sup>1</sup> (2) why the submission of 42,000 pages  
2 of documents is truly necessary; (3) similarly, how the parties intend to present a discovery motion  
3 on such a large volume of material in a manner that allows for judicial resolution; and (4) how  
4 counsel could be found to have sufficiently conferred in good faith given the extraordinary volume  
5 of materials in dispute.<sup>2</sup>

6 IT IS SO ORDERED.

7 Dated: September 25, 2019

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10 Nancy J. Koppe  
11 United States Magistrate Judge  
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24 <sup>1</sup> Conversely, to the extent the parties actually seek to shield the documents from the public  
25 but not from each other, the typical sealing procedures would generally be used.

26 <sup>2</sup> See *King Tuna, Inc. v. Luen Thai Fishing Ventures, Ltd.*, 2010 WL 11515316, at \*1 (C.D.  
27 Cal. Apr. 28, 2010) (finding submission of much less voluminous motion practice evidenced that  
28 counsel had “failed to exercise discretion and judgment to narrow the issues presented to the Court  
to those issues that truly require court intervention”); see also *Cardoza v. Bloomin’ Brands, Inc.*,  
141 F. Supp. 3d 1137, 1145 (D. Nev. 2015) (the meet-and-confer process is meant to eliminate “or  
to at least narrow and focus matters in controversy” (quoting *Nevada Power v. Monsanto*, 151  
F.R.D. 118, 120 (D. Nev. 1993))).